IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 2850 of 2005

Between:

1 S. Nageswararao, S/o. Venkata Subbaiah,
R/o. Gopalapuram Vill, Addanki Mandal, Prakasham District.
2 J. Koteswara Rao, S/o. Basavaiah,
R/o. Jagarlamudivaripalem, J. Pongalur, Prakasam District.
3 P. Anantharama Brahamam, S/o. Masthanarao,
R/o. Addani Vill, Addanki Mandal, Prakasham District.
4 P. Ramanageswara Rao, W/o. Venkatabalakrishnamurthy,
R/o. Addanki V&M, Prakasham District.
5 N. Koteswararao, S/o. Subbarao,
R/o. Nagulapadu Village, Addanki Mandal, Prakasham District.
6 A. Venkateswararao, S/o. Subbarao,
R/o. Nagulapadu Vill, Addanki Mandal, Prakasham District.
7 P. Varalakshmamma, W/o. China Subbarao,
T/o. Thimmayapalem, Vill, Addanki, Mandal, Prakasham District.
8 A. Prasad, S/o. Seshaiah,
R/o. Thimmayapalem Vill, Addanki Mandal, Prakasham District.
9 K. Subbarao, S/o. Seshaiah,
R/o. Nagulapadu Vill, Addanki Mandal, Prakasham District.
10 G. Ravindra, w/o. Ananthapadmanaabhareddy,
R/o. Addanki Vill, Addanki Mandal, Prakasham District.
11 G. Yayamireddy, S/o. Adiseshareddy,
R/o. Kotikalapudi Vill, Addanki Mandal, Prakasham District.

..... PETITIONERS

AND

1 The District Collector, Prakasam District at Ongole.
2 Revenue Divisional Officer, Ongole, Prakasam District.
3 Mandal Revenue Officer, Addanki Mandal, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in contemplating to assign petitioners private patta lands of Ac. 8.65 cents covered by Sy. No. 1905 of South

Addanki Village to houseless poor persons without acquiring the same and without paying compensation following due process of law is illegal, irregular without authority and vioaltive of Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents not to interfere in any manner with the said private absolute properties of the petitioners and pass such other order or orders.

Counsel for the Petitioner: MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondents: GP FOR REVENUE

This Court at the admission stage made the following :

O R D E R:

The petitioners claim to be the absolute owners and possessors of the lands of an extent of Ac.8-65 cents in Survey No.1905 of South Addanki Village, having purchased the same under registered sale deeds. It is alleged that the respondents herein are attempting to dispossess the petitioners from the said lands and to assign the same to the landless poor persons. The petitioners contend that the said lands are their private lands and therefore, the respondents are not justified in taking such action without acquiring the lands in question. Hence, this writ petition seeking a declaration that the action of the respondents is arbitrary and illegal.

Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents, without expressing any opinion as to the ownership claimed by the petitioners, the writ petition is disposed of with a direction to the respondents not to interfere with the possession of the petitioners in respect of the lands in question without following due process of law. No costs.

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(**G. ROHINI, J**)

Date: 16-03-2005

ghn

To

1 The District Collector, Prakasam District at Ongole.
2 Revenue Divisional Officer, Ongole, Prakasam District.
3 Mandal Revenue Officer, Addanki Mandal, Prakasam District.

4 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (O.U.T.)

5 Two CD copies.